## F :ENT COOPERATION TREAT

To:

#### From the INTERNATIONAL BUREAU

#### **PCT**

#### **NOTIFICATION OF ELECTION**

(PCT Rule 61.2)

Commissioner **US Department of Commerce** United States Patent and Trademark Office, PCT 2011 South Clark Place Room

CP2/5C24 Arlington, VA 22202

**ETATS-UNIS D'AMERIQUE** Date of mailing (day/month/year) in its capacity as elected Office 18 July 2001 (18.07.01)

International application No. PCT/US00/27711

International filing date (day/month/year)

06 October 2000 (06.10.00)

Applicant's or agent's file reference 18242-501

Priority date (day/month/year) 08 October 1999 (08.10.99)

Applicant

CHIN, Sing, N. et al

1.	The designated Office is hereby notified of its election made:
'.	
	X in the demand filed with the International Preliminary Examining Authority on:
	08 May 2001 (08.05.01)
	in a notice effecting later election filed with the International Bureau on:
2.	The election X was was not
	made before the expiration of 19 months from the priority date or, where Rule 32 applies, within the time limit under Rule 32.2(b).

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland

Authorized officer

**Charlotte ENGER** 

Telephone No.: (41-22) 338.83.38

Facsimile No.: (41-22) 740.14.35

## **PCT**

REC'D 1 2 NOV 2001

# INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or	agent's file reference	1					
18242-501	agents me relevence	FOR FURTHER ACTION	RTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)				
International a	pplication No.	International filing date (day/month	/year) Priority date (day/month/year)				
PCT/US00/	/27711	06/10/2000	08/10/1999				
Applicant V.I. TECHN  1. This inte	OLOGIES, INC. et al.	ination report has been prepared	by this International Preliminary Examining Authority				
☐ This beer (see	—						
3. This report contains indications relating to the following items:							
Date of submiss 07/05/2001	sion of the demand		Date of completion of this report  06.11.2001				
preliminary exan Eur D-8 Tel	ng address of the international nining authority: ropean Patent Office 30298 Munich . +49 89 2399 - 0 Tx: 523656 6x: +49 89 2399 - 4465	·	Le L				

## INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No. PCT/US00/27711

<ol> <li>Basis of the</li> </ol>	report
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	and	e receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" d are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17)): scription, pages:					
	1-2	6	as originally filed				
	Cla	ims, No.:					
	1-3	6	as originally filed				
	Dra	wings, sheets:					
	1/3-	-3/3	as originally filed				
2.			uage, all the elements marked above were available or furnished to this Authority in the nternational application was filed, unless otherwise indicated under this item.				
	The	ese elements were a	available or furnished to this Authority in the following language: , which is:				
			translation furnished for the purposes of the international search (under Rule 23.1(b)).				
		the language of pu	blication of the international application (under Rule 48.3(b)).				
		the language of a to 55.2 and/or 55.3).	ranslation furnished for the purposes of international preliminary examination (under Rule				
3.		-	leotide and/or amino acid sequence disclosed in the international application, the y examination was carried out on the basis of the sequence listing:				
		contained in the in	ternational application in written form.				
		filed together with	the international application in computer readable form.				
		furnished subsequ	ently to this Authority in written form.				
		furnished subsequ	ently to this Authority in computer readable form.				
			the subsequently furnished written sequence listing does not go beyond the disclosure in oplication as filed has been furnished.				
		The statement that listing has been full	the information recorded in computer readable form is identical to the written sequence mished.				
١.	The	amendments have	resulted in the cancellation of:				
		the description,	pages:				
		the claims,	Nos.:				

1. With regard to the elements of the international application (Replacement sheets which have been furnished to

# INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No. PCT/US00/27711

		the drawings,	sheets:			
5. This report has been established as if (some of) the amendments had not been made, since they had considered to go beyond the disclosure as filed (Rule 70.2(c)):						
		(Any replacement she report.)	et contair	ning such	amendments must be referred to under item 1 and annexed to this	
6.	Add	litional observations, if	necessar	y:		
٧.	7. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement					
1. Statement						
	Nov	relty (N)	Yes: No:	Claims Claims	1-36	
	Inve	entive step (IS)	Yes: No:	Claims Claims	1-36	
	Indu	ustrial applicability (IA)	Yes: No:	Claims Claims	1-36	

2. Citations and explanations see separate sheet

**EXAMINATION REPORT - SEPARATE SHEET** 

#### Point V.2.

#### 1). Novelty

The documents D1: US-A-4 664 913\* and D2: US-A-5 541 294\*, corresponding to the prior art cited in the search report, do not indicate a method for regenerating an immunoadsorbent resin for removing isoagglutinins from blood. Thus, the subject-matter of claims 1-30 is novel. Furthermore, in these documents a Toyopearl resin of an "AF-carboxy" -type is neither used nor indicated (cf. D2, column 4). Thus, the method of removing an isoagglutinin according to claims 31-33 is novel. The composition for binding an isoagglutinin according to claims 34-36 implies an "AF-carboxy"-type resin because of the antigen being "linked to said resin by a carboxy group on said resin" (cf. claim 34); such a composition is not indicated in the documents D1 and D2. Thus, the composition according to claims 34-36 would appear to be novel too.

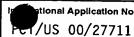
\*) cited in the present description, cf. on p.4 and p.5

#### 2). Inventive step

The cited prior art does indicate the use of polymethacrylate resins (cf., D2, column 4), but does not indicate the use of an "AF-carboxy"-type of such a resin. Furthermore, D1 and D2 do not indicate nor suggest the regenerating of the immunoadsorbent resin being used. Thus, it was not obvious to expect that the separation system according to the invention, after repeated use, would give isoagglutinin-depleted composition of a clinically acceptable level (cf. p.3, lines 1-9).

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference 18242-501	FOR FURTHER see Notification of Transmittal of International Search Report (Form PCT/ISA/220) as well as, where applicable, item 5 below.						
International application No.	International filing date (day/month/year)	(Earliest) Priority Date (day/month/year)					
PCT/US 00/27711	06/10/2000	08/10/1999					
Applicant		00,10,1777					
V.I. TECHNOLOGIES, INC. e	t al.						
This International Search Report has been according to Article 18. A copy is being tra	n prepared by this International Searching Aut ansmitted to the International Bureau.	hority and is transmitted to the applicant					
This International Search Report consists  X It is also accompanied by	of a total of sheets. a copy of each prior art document cited in this	report.					
Basis of the report							
With regard to the language, the language in which it was filed, unl	international search was carried out on the baress otherwise indicated under this item.	sis of the international application in the					
the international search w Authority (Rule 23.1(b)).	as carried out on the basis of a translation of t	he international application furnished to this					
<ul> <li>b. With regard to any nucleotide an was carried out on the basis of the</li> </ul>	d/or amino acid sequence disclosed in the in	nternational application, the international search					
	nal application in written form.						
filed together with the inte	rnational application in computer readable forr	n.					
furnished subsequently to	this Authority in written form.						
furnished subsequently to	this Authority in computer readble form.						
the statement that the sub international application a	sequently furnished written sequence listing d s filed has been furnished.	loes not go beyond the disclosure in the					
the statement that the info furnished	rmation recorded in computer readable form is	s identical to the written sequence listing has been					
2. Certain claims were four	nd unsearchable (See Box I).						
3. Unity of invention is lack	king (see Box II).						
4. With regard to the title,							
X the text is approved as su	bmitted by the applicant.						
the text has been establis	ned by this Authority to read as follows:						
5. With regard to the abstract,  X the text is approved as submitted by the applicant.  the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box III. The applicant may,							
within one month from the date of mailing of this international search report, submit comments to this Authority.							
6. The figure of the <b>drawings</b> to be publi	_						
as suggested by the applic		X None of the figures.					
because the applicant faile							
because this figure better	characterizes the invention.						

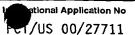


A. CLASSIFICATION OF SUBJECT MATTER IPC 7 G01N33/543 G01N G01N33/68 A61K35/14 G01N33/80 According to International Patent Classification (IPC) or to both national classification and IPC **B. FIELDS SEARCHED** Minimum documentation searched (classification system followed by classification symbols) IPC 7 G01N A61K Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched Electronic data base consulted during the international search (name of data base and, where practical, search terms used) EPO-Internal, WPI Data, PAJ, BIOSIS C. DOCUMENTS CONSIDERED TO BE RELEVANT Category ° Citation of document, with indication, where appropriate, of the relevant passages Relevant to claim No. Χ US 4 664 913 A (SCANNON PATRICK J ET AL) 34 - 3612 May 1987 (1987-05-12) cited in the application Α the whole document 1-33 χ US 5 541 294 A (HOROWITZ BERNARD ET AL) 34 - 3630 July 1996 (1996-07-30) cited in the application Α the whole document 1 - 33-/--Χ Further documents are listed in the continuation of box C. χ Patent family members are listed in annex. Special categories of cited documents: "T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the "A" document defining the general state of the art which is not considered to be of particular relevance invention "E" earlier document but published on or after the international \*X\* document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to filing date "L" document which may throw doubts on priority claim(s) or involve an inventive step when the document is taken alone which is cited to establish the publication date of another citation or other special reason (as specified) "Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such docu-O document referring to an oral disclosure, use, exhibition or other means ments, such combination being obvious to a person skilled in the art. \*P\* document published prior to the international filing date but later than the priority date claimed "&" document member of the same patent family Date of the actual completion of the international search Date of mailing of the international search report 8 August 2001 22/08/2001 Name and mailing address of the ISA Authorized officer European Patent Office, P.B. 5818 Patentlaan 2 NL - 2280 HV Rijswijk Tel. (+31-70) 340~2040, Tx. 31 651 epo nl,

Fax: (+31-70) 340-3016

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Pellegrini, P



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(Continua ategory °

tion on patent family members

ational Application No PCI/US 00/27711

Patent document cited in search report		Publication date		Patent family member(s)	Publication date
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